

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

**NOTICE OF LODGING
OF PROOFS OF SERVICE OF SUBPOENAS**

TO: Marc P. Niedzielski, Esquire
Deputy Attorney General
Department of Justice, 6th Floor
820 N. French Street
Wilmington, DE 19801

PLEASE TAKE NOTICE that Plaintiff lodges herewith the proofs of service of subpoenas to the following:

N. Scott Stehle, M.D.
Thomas E. Jenkins, D.M.D.
Jane M. Mathisen, M.D.
Alan M. Gruenberg, M.D.
Marian P. Droba, M.D.
Mary Milroy, CNC, L.C.S.W.

MORRIS, JAMES, HITCHENS & WILLIAMS LLP

Edward M. McNally (#014)
222 Delaware Avenue, 10th Floor
Wilmington, Delaware 19801
(302) 888-6800
emcnally@morrisjames.com
Attorneys for Plaintiff

March 14, 2005

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

ELBERTA BERNICE LIEBERMAN

SUBPOENA IN A CIVIL CASE

Plaintiff,

CASE NUMBER:
96-523 GMS

v.

THE STATE OF DELAWARE, and
THE FAMILY COURT OF THE STATE OF DELAWARE

Defendants.

TO: N. Scott Stehle, M.D.
 441 Lankenau Medical Office Building West
 100 W. Lancaster Avenue
 Wynnewood, PA 19096

YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

Medical records of Elberta Bernice Lieberman for 1993-1994

PLACE	DATE AND TIME
Edward M. McNally, Esquire Morris, James, Hitchens & Williams LLP 222 Delaware Ave., 10 th Floor P.O. Box 2306 Wilmington, DE 19899-2306	March 18, 2005

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)	DATE
 Attorney for Plaintiff	February 28, 2005

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER
Edward M. McNally, Esq., Morris, James, Hitchens & Williams LLP 222 Delaware Ave., 10 th Floor P.O. Box 2306, Wilmington, DE 19899-2306 (302) 888-6880

PROOF OF SERVICE

DATE	PLACE
3/4/05	441 LANKENENAU MEDICAL OFFICE BLDG. WEST

SERVED ON (PRINT NAME)

N. SCOTT STEHLE

MANNER OF SERVICE

ACCEPTED BY N. SCOTT STEHLE

SERVED BY (PRINT NAME)

TITLE

ERIC AFFLERBACH

PROCESS SERVER

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 3/4/05

DATE



SIGNATURE OF SERVER

BRANDYWINE PROCESS SERVERS, LTD.
P.O. BOX 1360
WILMINGTON, DE 19899-1360
302-475-2600

Rule 45, Federal Rules of Civil Procedure, Parts C & D-

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials; or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance;
(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that,

subject to the provisions of clause (c)(3)(B) (iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

ELBERTA BERNICE LIEBERMAN

SUBPOENA IN A CIVIL CASE

Plaintiff,

CASE NUMBER:
96-523 GMS

v.

THE STATE OF DELAWARE, and
THE FAMILY COURT OF THE STATE OF DELAWARE

Defendants.

TO: Thomas E. Jenkins, D.M.D.
2323 Pennsylvania Avenue
Wilmington, DE 19806

YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

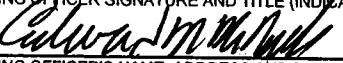
Medical records of Elberta Bernice Lieberman for 1993-1994

PLACE	DATE AND TIME
Edward M. McNally, Esquire Morris, James, Hitchens & Williams LLP 222 Delaware Ave., 10 th Floor P.O. Box 2306 Wilmington, DE 19899-2306	February 28, 2005

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)	DATE
	February 8, 2005
Attorney for Plaintiff	

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Edward M. McNally, Esq., Morris, James, Hitchens & Williams LLP
222 Delaware Ave., 10th Floor
P.O. Box 2306, Wilmington, DE 19899-2306
(302) 888-6880

PROOF OF SERVICE

DATE	PLACE
2/11/05	2323 PENNSYLVANIA AVE. WILM. DE
SERVED	SERVED ON (PRINT NAME)
	THOMAS JENKINS, D. M.D.
SERVED BY (PRINT NAME)	MANNER OF SERVICE
	ACCEPTED BY CARRIE COLLINS
BARRY EVELAND	TITLE
	PROCESS SERVER

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 2/11/05
DATE



SIGNATURE OF SERVER

BRANDYWINE PROCESS SERVERS, LTD.
P.O. BOX 1360
WILMINGTON, DE 19899-1360
302-475-2600

Rule 45, Federal Rules of Civil Procedure, Parts C & D-

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service

subject to the provisions of clause (c)(3)(B) (iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

ELBERTA BERNICE LIEBERMAN

SUBPOENA IN A CIVIL CASE

Plaintiff,

CASE NUMBER:
 96-523 GMS

v.

THE STATE OF DELAWARE, and
 THE FAMILY COURT OF THE STATE OF DELAWARE

Defendants.

TO: Jane M. Mathisen, M.D.
 445 Rockland Road
 Merion Station, PA 19066

YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME

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Medical records of Elberta Bernice Lieberman for 1993-1994

PLACE	DATE AND TIME
Edward M. McNally, Esquire Morris, James, Hitchens & Williams LLP 222 Delaware Ave., 10 th Floor P.O. Box 2306 Wilmington, DE 19899-2306	February 28, 2005

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)	DATE
 Attorney for Plaintiff	February 8, 2005

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Edward M. McNally, Esq., Morris, James, Hitchens & Williams LLP
 222 Delaware Ave., 10th Floor
 P.O. Box 2306, Wilmington, DE 19899-2306
 (302) 888-6880

PROOF OF SERVICE

DATE	PLACE
2/11/05	445 ROCKLAND RD. MERION STATION, PA
SERVED	MANNER OF SERVICE
JANE MATHISEN, MD	ACCEPTED BY ED MATHISEN
SERVED BY (PRINT NAME)	TITLE
ERIC AFFLERBACH	PROCESS SERVER

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 2/11/05
DATE


SIGNATURE OF SERVER

BRANDYWINE PROCESS SERVERS, LTD.
P.O. BOX 1360
WILMINGTON, DE 19899-1360
302-475-2600

Rule 45, Federal Rules of Civil Procedure, Parts C & D-

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

subject to the provisions of clause (c)(3)(B) (iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

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(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
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UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

ELBERTA BERNICE LIEBERMAN

SUBPOENA IN A CIVIL CASE

Plaintiff,

CASE NUMBER:
 96-523 GMS

v.

THE STATE OF DELAWARE, and
 THE FAMILY COURT OF THE STATE OF DELAWARE

Defendants.

TO: Alan M. Gruenberg, M.D.
 Gruenberg & Summers, P.C.
 210 West Washington Square
 Mezzanine Floor
 Philadelphia, PA 19106

YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME

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PLACE	DATE AND TIME
Edward M. McNally, Esquire Morris, James, Hitchens & Williams LLP 222 Delaware Ave., 10 th Floor P.O. Box 2306 Wilmington, DE 19899-2306	February 28, 2005

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME

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ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)	DATE
 Attorney for Plaintiff	February 8, 2005

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER
Edward M. McNally, Esq., Morris, James, Hitchens & Williams LLP 222 Delaware Ave., 10 th Floor P.O. Box 2306, Wilmington, DE 19899-2306 (302) 888-6880

PROOF OF SERVICE

DATE	PLACE
2/11/05	950 E. HAVERFORD RD. BRYN MAWR, PA
SERVED ON (PRINT NAME)	MANNER OF SERVICE
ALAN GRUENBERG, MD	ACCEPTED BY PATSEY SEWELL
SERVED BY (PRINT NAME)	TITLE
ERIC AFFLERBACH	PROCESS SERVER

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 2/11/05
DATE

SIGNATURE OF SERVER


BRANDYWINE PROCESS SERVERS, LTD.
P.O. BOX 1360
WILMINGTON, DE 19899-1360
302-475-2600

Rule 45, Federal Rules of Civil Procedure, Parts C & D-

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials; or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance;
(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that,

subject to the provisions of clause (c)(3)(B) (iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

ELBERTA BERNICE LIEBERMAN

SUBPOENA IN A CIVIL CASE

Plaintiff,

CASE NUMBER:
 96-523 GMS

v.

THE STATE OF DELAWARE, and
 THE FAMILY COURT OF THE STATE OF DELAWARE

Defendants.

TO: Marian P. Drobak, M.D.
 135 South 18th Street, Suite 301
 Philadelphia, PA 19103

YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

Medical records of Elberta Bernice Lieberman for 1993-1994

PLACE	DATE AND TIME
Edward M. McNally, Esquire Morris, James, Hitchens & Williams LLP 222 Delaware Ave., 10 th Floor P.O. Box 2306 Wilmington, DE 19899-2306	February 28, 2005

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)	DATE
	February 8, 2005

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER
Edward M. McNally, Esq., Morris, James, Hitchens & Williams LLP 222 Delaware Ave., 10 th Floor P.O. Box 2306, Wilmington, DE 19899-2306 (302) 888-6880

PROOF OF SERVICE

SERVED	DATE	PLACE
	2/14/05	135 S. 18TH ST. PHIL. PA

SERVED ON (Print Name)	MANNER OF SERVICE
MARIAN DROBA	ACCEPTED BY
SERVED BY (Print Name)	TITLE
ERIC AFFLERBACH	Private Process Server

DECLARATION OF SERVER

I declare under penalty of perjury under the law of the State of Delaware that the foregoing information contained in the Proof of Service is true and correct.

Executed on: 2/14/05


 SIGNATURE OF SERVER
 BRANDYWINE PROCESS SERVERS, LTD.
 P. O. BOX 1360
 WILMINGTON, DE 19899-1360
 (302) 475 - 2600

Superior Court Civil Rule 45, Parts C, D & E*

(c) Protection of Persons subject to Subpoenas

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The Court shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the Court. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the Court shall quash or modify the subpoena if it

- (i) fails to allow reasonable time for compliance,
- (ii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
- (iii) subjects a person to undue burden.

(B) If a subpoena

- (i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
- (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party,

the Court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the Court may order appearance or production only upon specified conditions.

(d) Duties in Responding to Subpoena.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

(e) Contempt.

Failure by any person without adequate excuse to obey a subpoena served upon that person may be deemed contempt of court.

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

ELBERTA BERNICE LIEBERMAN

SUBPOENA IN A CIVIL CASE

Plaintiff,

CASE NUMBER:
96-523 GMS

v.

THE STATE OF DELAWARE, and
THE FAMILY COURT OF THE STATE OF DELAWARE

Defendants.

TO: Mary Milroy, CNC, L.C.S.W.
5 Leaf Lane
Woodshade
Newark, DE 19713

YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

Medical records of Elberta Bernice Lieberman for 1993-1994

PLACE	DATE AND TIME
Edward M. McNally, Esquire Morris, James, Hitchens & Williams LLP 222 Delaware Ave., 10 th Floor P.O. Box 2306 Wilmington, DE 19899-2306	February 28, 2005

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME

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ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)	DATE
 Attorney for Plaintiff	February 8, 2005

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Edward M. McNally, Esq., Morris, James, Hitchens & Williams LLP
222 Delaware Ave., 10th Floor
P.O. Box 2306, Wilmington, DE 19899-2306
(302) 888-6880

PROOF OF SERVICE

DATE	PLACE
2/17/05	5 LEAF LN NEWARK, DE

SERVED ON (PRINT NAME)	MANNER OF SERVICE
------------------------	-------------------

MARY MILROY, CNC L.C.S.W.	ACCEPTED BY JOHN MILROY
---------------------------	-------------------------

SERVED BY (PRINT NAME)	TITLE
------------------------	-------

DENORRIS BRITT	PROCESS SERVER
----------------	----------------

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.



SIGNATURE OF SERVER

BRANDYWINE PROCESS SERVERS, LTD.
P.O. BOX 1360
WILMINGTON, DE 19899-1360
302-475-2600

Rule 45, Federal Rules of Civil Procedure, Parts C & D-

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which

subject to the provisions of clause (c)(3)(B) (iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held, or
 (iii) requires disclosure of privileged or other protected matter and

CERTIFICATE OF SERVICE

I hereby certify that on March 14, 2005, I electronically filed the Notice of Lodging of Proofs of Service of Subpoenas with the Clerk of Court using CM/ECF, which will send notification of such filing to the following:

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